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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/769,750

02/03/2004

Dino Bongini

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EXAMINER

STINSON, FRANKIE L

ART UNIT

PAPER NUMBER

1746

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

03/09/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/769,750

Applicant(s)

BONGINI, DINO

Examiner

FRANKIE L. STINSON

Art Unit

1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 11-13, 16, 21-26, 28 and 29 is/are rejected.
- 7) ☒ Claim(s) 4-10, 14, 15, 17-20 and 27 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

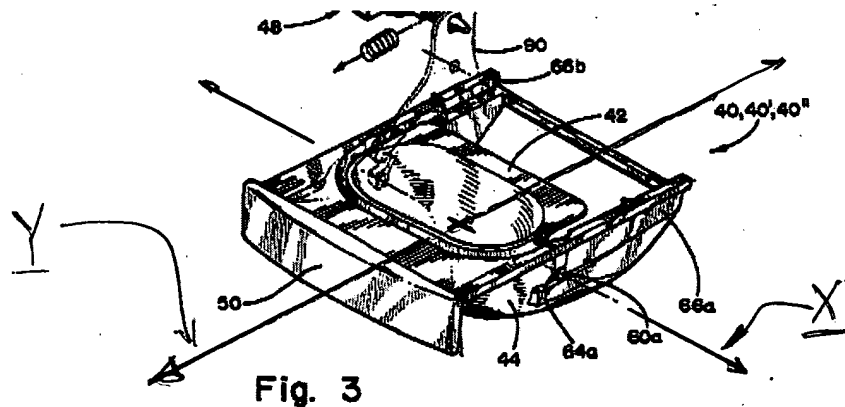
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|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____                                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/24/06</u>   | 6) <input type="checkbox"/> Other: ____                           |

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 12, 13, 16, 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herman-Latack et al. (U. S. Pat. No. 5,875,655, "Latack") in view of Bongini et al. (U. S. Pat. No. 5,548,978).

Re claim 1, 23 and 24, Latack is cited disclosing a laundry washing machine, having a washing agent dispenser (40') which, comprises at least a movable body (42') defining a space or compartment for containing a dose of a respective washing agent,



said space having a loading mouth open according to a respective first axis (Y), a housing (44') for said movable body (42') and means (88a') for carrying into said space a flow of liquid able to withdraw said washing agent, said movable body (42') being mounted in said housing (44') in such a way as to be able to assume a first position (fig. 1), for the manual admission of said washing agent into said space through said loading mouth, and a second position (fig. 5), for the withdrawal of said washing agent from said

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space by means of said flow of liquid, wherein said movable body (42') is pivotally supported in said housing (44') to move angularly from said first to said second position and vice versa around a second axis (X) that is substantially perpendicular or anyway transverse relative to said first axis (Y) of said loading mouth that differs from the claims only in the recitation of the washing machine being of the front loading type. Bongini is cited disclosing the arrangement of the front-loading type washing machine. It therefore would have been obvious to one having ordinary skill in the art to modify the arrangement of Latack, to be of the front loading type since this is considered to be a mere rearrangement of parts. Re claims 2, Latack discloses the said second axis (X) is substantially perpendicular or anyway transverse relative to an axis (z) around which a drum of the machine is capable of rotating (col. 2, lines 62-67). Re claim 3 Latack discloses the horizontal axis. Re claim 11, Latack discloses the housing comprising a casing being substantially aligned to the upper opening. Re claim 12, Bongini discloses the mounting as claimed. Re claim 13, Latack discloses the slits (see fig.6, slits between elements 91a). Re claim 16, Latack discloses the stop (70a, 70b). Re claims 21, Latack discloses the lack of a siphon. Re claim 22, Latack discloses the two or more movable bodies (as at 40, 42 and 40'', 42'').

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 25, 26, 28 and 29 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Barritt (U. S. Pat. No. 2,969,072).

Re claim 25 for example, note that Barritt discloses a dispenser of washing agents for a washing machine, in particular a domestic washing machine, the dispenser (19) comprising at least a movable body (23) defining a space or compartment for containing a dose of a respective washing agent, said compartment having a loading mouth opened according to a respective first axis, a housing (30, 28) for said movable body (23) and means (spray arms) for carrying into said space a flow of liquid capable of withdrawing said washing agent, said movable body (23) being mounted in said housing (30, 28) in such a way as to be able to assume a first position (fig. 3), for the manual admission of said washing agent into said space through said loading mouth, and a second position (fig. 5), for the withdrawal of said washing agent from said compartment by means of said flow of liquid, wherein it further comprises actuating means (21) operative to produce the displacement of said body (23) from said first to said second position by means of said flow of liquid.

6. Claims 4-10, 14, 15, 17-20 and 27 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In Hetrick, Howlett, Bergeson et al., Clearman et al., Harvey,

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Ikeda, Losert et al., Gayring, Pellerin, Kretchman et al., Gerhardt et al., Seal, Hertig et al., Ryckman, Jr. and Schlack, note the dispensing means.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is (571) 272-1308. The examiner can normally be reached on M-F from 5:30 am to 2:00 pm and some Saturdays from approximately 5:30 am to 11:30 am.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr, can be reached on (571) 272-1700. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

fls



FRANKIE L. STINSON  
Primary Examiner  
GROUP ART UNIT 1746